

## **EXHIBIT 39**

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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
-----X  
MARK I. SOKOLOW, et al.,  
  
PLAINTIFFS,  
  
-against- Case No:  
04CV397 (GBD) (RLE)  
  
THE PALESTINE LIBERATION ORGANIZATION,  
et al.,  
  
DEFENDANTS.  
-----X

DATE: December 12, 2012  
TIME: 3:00 P.M.

DEPOSITION of NURIT MANDELKORN,  
taken by the Defendants, pursuant to Notice  
and to the Federal Rules of Civil  
Procedure, held at the offices of Morrison  
& Foerster, 1290 Avenue of the Americas,  
New York, New York 10104, before Robert X.  
Shaw, CSR, a Notary Public of the State of  
New York.

1 Nurit Mandelkorn

2 testimony here today?

3 A. No.

4 Q. One thing I should have said at  
5 the beginning, is that everything, anytime  
6 I ask a question, you have to answer  
7 audibly because the court reporter can't  
8 take it down when you shake your head.

9 A. All right.

10 Q. Do you have any questions about  
11 the process?

12 A. No.

13 Q. All right. Tell me your date  
14 of birth.

15 A. August 11, 1957.

16 Q. And of what country or  
17 countries are you a citizen?

18 A. Israel. Only Israel.

19 Q. Have you ever been a citizen of  
20 any country other than Israel?

21 A. No.

22 Q. I understand that your husband  
23 is an American citizen; is that correct?

24 A. Yes.

25 Q. Did you ever consider becoming

1 Nurit Mandelkorn

2 THE INTERPRETER: 34?

3 THE WITNESS: (Speaking in  
4 Hebrew)

5 THE INTERPRETER: 34 years.

6 Q. All right.

7 THE WITNESS: (Speaking in  
8 Hebrew)

9 THE INTERPRETER: I think that  
10 is correct.

11 Q. Have you only been married the  
12 one time?

13 A. Yes.

14 Q. Has your husband been married  
15 to anyone other than you?

16 A. No.

17 Q. How many children do you have?

18 A. We had six, and one died.

19 Q. Are your parents still living?

20 A. Yes.

21 Q. Where do they live?

22 A. With us.

23 Q. What is your address?

24 A. Shiloh. It is Shiloh. It is  
25 the mobile post of Ephraim, which is

1 Nurit Mandelkorn

2 E-F-R-A-I-M, but I don't remember the box.

3 But the zip code is 44830, but normally you  
4 don't even need the post office box number.

5 Q. How many people live in Shiloh?

6 A. I think there are around 300,  
7 maybe 350 families. But how many people, I  
8 don't know.

9 Q. Okay. Where is Shiloh located?

10 A. It is on the back of the  
11 mountain on the road from Nablus to  
12 Jerusalem.

13 Q. Okay. Is Shiloh located in the  
14 territory that was occupied by Israel in  
15 1967?

16 MR. SOLOMON: Objection.

17 A. In the liberated territory.

18 Q. Okay. The territory in which  
19 you currently live was not part of Israel  
20 prior to 1967; correct?

21 A. Correct.

22 Q. It is referred to by some  
23 people as occupied Palestinian territory;  
24 is that correct?

25 A. There are people that call it

1 Nurit Mandelkorn

2 that.

3 Q. Okay. It is also referred to  
4 as the West Bank by some people; is that  
5 correct?

6 A. Yes.

7 Q. And the town where you live is  
8 referred to by some people as a settlement;  
9 is that fair to say?

10 A. That is correct. The Arabs  
11 call Tel Aviv a settlement, as well.

12 Q. But, Tel Aviv is within the  
13 1948 borders of Israel; is that correct?

14 A. Yes.

15 Q. Where you live is not; correct?

16 A. Correct.

17 Q. Okay. How long have you lived  
18 in Shiloh?

19 A. 20 years, approximately. Maybe  
20 21.

21 Q. Where did you live between the  
22 time you were first married and when you  
23 moved to Shiloh?

24 A. Sha'alvim. S-H-A'-A-L-V-I-M.

25 At first in a Kibbutz by the

1 Nurit Mandelkorn

2 with the intent to affect others.

3 Because in order to affect  
4 others, you need the powers of leadership,  
5 powers of --

6 THE INTERPRETER: (Speaking in  
7 Hebrew)

8 A. And vitality. You need  
9 positive energy. And before he used to  
10 play more.

11 It is like we lost him a  
12 little. We got him back, but we lost a  
13 part of him.

14 Q. Okay. So, in terms of physical  
15 limitations on what he can do, the only  
16 thing you can think of that he can't do  
17 today as a result of the injury in June of  
18 2002 is watch 3D movies; is that right?

19 A. Um, but the way he sees --  
20 thank God that he can see, but seeing  
21 things with two eyes as opposed to seeing  
22 things with half an eye, it is not the  
23 same.

24 Q. Of course. Ma'am, you were not  
25 present when your son was injured in June

1                   Nurit Mandelkorn

2       of 2002; correct?

3           A.       I was not.

4           Q.       Are you aware of the identities  
5       of any persons who witnessed the bombing in  
6       which your son was injured? Other than  
7       your son, obviously.

8           A.       There was a guy who actually  
9       saved him. It is an interesting story.

10                   I don't know whether it is  
11       interesting to you, but -- um, there was  
12       somebody there at the French Hill, as the  
13       incident happened, he had just turned the  
14       corner. The French Hill is a type of  
15       intersection.

16                   He had turned, he had already  
17       turned the corner, and then he heard the  
18       blast and he returned. He turned around  
19       and came back, because he has some  
20       knowledge of taking care of injured people.

21                   I don't know whether he is a  
22       medic or something like that. I did not  
23       tell it to the psychologist.

24                   So then he saw Shaul -- later  
25       on he learned that it was Shaul. He saw



1 Nurit Mandelkorn

2 Q. Ma'am, when did you first learn  
3 that lawsuits had been brought in your name  
4 in the United States?

5 A. The truth is that I never dealt  
6 with it. I left everything to my husband,  
7 so I never followed it.

8 Q. Okay. Are you saying that  
9 prior to this year you were not aware that  
10 you were a plaintiff in lawsuits in the  
11 United States?

12 A. No. I knew there were  
13 outstanding lawsuits, but -- it has been a  
14 while, but exactly since when, I did not  
15 follow the time line.

16 Q. Do you know who the defendants  
17 are in the lawsuit that we are here about  
18 today?

19 A. Today, it is the Palestinian  
20 Authority.

21 Q. Are you aware of any evidence  
22 that the Palestinian Authority had  
23 something to do with the injuries to your  
24 son Shaul?

25 A. We know that this suicide

1                   Nurit Mandelkorn  
2       bomber was a member of the Al Aqsa Brigade.  
3       They accepted the responsibility.

4                   The Al Aqsa Brigade belonged to  
5       the Palestinian Authority, to the PLO,  
6       which was -- became the Palestinian  
7       Authority.

8           Q.     Okay.

9           A.     As far as evidence, again, this  
10      is the attorney's job.

11          Q.     Okay. Ma'am, you just  
12      described something called the Al Aqsa  
13      Brigade. How do you know that the person  
14      who injured your son was part of the  
15      Al Aqsa Brigade?

16          A.     Well, after the explosion, they  
17      accepted the responsibility for this  
18      terrorist attack.

19          Q.     How do you know that they  
20      accepted the responsibility?

21          A.     Um, we also heard it from our  
22      son, but again, I am leaving it to my  
23      attorneys.

24          Q.     Ma'am, I appreciate your  
25      answer.

1 Nurit Mandelkorn

2 What I am trying to figure out  
3 is, when you say you know the Al Aqsa  
4 Brigade took responsibility for this, is  
5 that something that you read in a  
6 newspaper, or is that something that you  
7 saw on television, is that something that  
8 your son told you; what's the source of  
9 your information?

10 A. As I said, my son said so.

11 Q. Which son?

12 A. Yisrael.

13 Q. Has Yisrael ever communicated  
14 to you about this subject other than these  
15 two e-mails?

16 A. I suppose you are asking me as  
17 far as his professional aspect, as the --  
18 from the professional aspect.

19 Of course we discussed this  
20 attack, as far as his brother Shaul being  
21 attacked.

22 But professionally, no.

23 Q. Well, the e-mails that are in  
24 front of you here are dated July and  
25 December of 2012.

1 Nurit Mandelkorn

2 Did you have any of this  
3 information about the identity of the  
4 bomber or the alleged connection to Al Aqsa  
5 prior to July of 2012 of this year?

6 A. The truth is that I was not  
7 looking for the guilty party. But, before  
8 the question came up, whether we will be  
9 traveling to the United States or not, we  
10 asked our son to find out whether this  
11 terrorist attack was or was not connected  
12 with the Palestinian Authority; whether it  
13 is worthwhile to come to the United States  
14 if it was not.

15 Q. So the first time that you ever  
16 asked anyone whether your son's injuries  
17 were connected to the Palestinian Authority  
18 was this year; is that correct?

19 A. To find out precisely who was  
20 behind it, it was this year.

21 I think that my husband knew  
22 about it all along, because otherwise we  
23 wouldn't have been connected to this  
24 lawsuit at all.

25 Q. So, ma'am, is it fair to say

1 Nurit Mandelkorn

2 your only source of information about  
3 whether the Palestinian Authority had  
4 anything to do with the attack on your son  
5 Shaul are these e-mails from your son  
6 Yisrael?

7 A. You are asking me, personally?

8 Q. Yes, ma'am.

9 A. Yes, I was not really  
10 interested in knowing exactly who was  
11 responsible.

12 Q. Okay.

13 A. To me, what's important is that  
14 there are terrorists, and who is sending  
15 them -- (indicating).

16 I was not involved with that  
17 before, but I think that my husband knew it  
18 before.

19 Q. Okay. Ma'am, is it fair to say  
20 that you have never spoken to anyone from  
21 the Palestinian Authority about the attack  
22 on your son?

23 A. That's right, I never talked to  
24 anybody.

25 Q. Is it fair to say that you have

1                   Nurit Mandelkorn

2       not spoken to anybody about who is  
3       responsible for the attack on your son  
4       other than your family members and your  
5       lawyers?

6           A.     Right.

7           Q.     Ma'am, are you asking to be  
8       paid money in this lawsuit for any injury  
9       you have suffered personally?

10          A.     Yes.

11          Q.     What injuries are you claiming  
12       for yourself?

13          A.     The injuries that happened at  
14       the attack, during the attack. And all of  
15       the time period when Shaul was hospitalized  
16       with his injuries.

17                   And afterwards, the time he had  
18       to be taken care of until the eye surgery,  
19       and later on his leg, and all of the other  
20       treatments. And all the mental problems  
21       that came afterwards.

22                   And how this situation affected  
23       me, and the rest of the family, and the  
24       other children. And how it affects me to  
25       this day.